

**17-22-1.5 County sheriff qualifications.**

- (1) Each person filing a declaration of candidacy for the office of county sheriff shall submit to the county clerk, at the time of filing a declaration of candidacy, a certificate issued by the Peace Officer Standards and Training Division created under Section 53-6-103 stating that the candidate has:
  - (a)
    - (i) successfully met the standards and training requirements established for peace officers under Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act; or
    - (ii) met the waiver requirements in Section 53-6-206; and
  - (b) met the qualifications to be certified as a law enforcement officer, as defined in Section 53-13-103.
- (2) In addition to the general qualifications required of county officers by Title 17, Chapter 16, County Officers, each county sheriff shall:
  - (a) at the time of taking office:
    - (i)
      - (A) have successfully met the standards and training requirements established for peace officers under Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act; or
      - (B) have met the waiver requirements in Section 53-6-206; and
    - (ii) be qualified to be certified as:
      - (A) a law enforcement officer, as defined in Section 53-13-103; and
      - (B) if the person is elected to the office of county sheriff in any election held after the 2008 general election:
        - (I) a correctional officer, as defined in Section 53-13-104; or
        - (II) a correctional facility manager by having successfully completed a correctional facility management course that is offered by a certified academy in both an online web-based format and in a classroom format and that is approved by the Peace Officer Standards and Training Council created in Section 53-6-106;
  - (b) satisfactorily complete annual certified training as required in Section 53-13-103; and
  - (c) after certification as provided in Subsection (2)(a), remain certified during the sheriff's term of office as:
    - (i) a law enforcement officer; and
    - (ii) if the person is elected to the office of county sheriff in any election held after the 2008 general election:
      - (A) a correctional officer; or
      - (B) a correctional facility manager by having completed a correctional facility management course approved by the Peace Officer Standards and Training Council.
- (3) If a sheriff resigns, retires, dies, or otherwise does not complete the term of office, the person appointed to serve for the remainder of the term shall within 60 days after the date of appointment complete the training and exam required under Subsection (2)(a)(ii)(B).
- (4) The county legislative body shall declare the office of sheriff to be vacant if at any time the incumbent sheriff fails to meet the qualifications for office under Subsection (2).

Amended by Chapter 58, 2011 General Session